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10 *Counsel for Weyns Farms & Sunray Farms*  
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12 **UNITED STATES BANKRUPTCY COURT**  
13 **EASTERN DISTRICT OF WASHINGTON**  
14

15  
16 In Re:

17  
18 Easterday Ranches, Inc.  
19 Easterday Farms, a general  
20 partnership,  
21

22 Debtors<sup>1</sup>.  
23

Case No. 21-00141-WLH11

**NOTICE OF AMENDED  
MOTION FOR ADEQUATE  
PROTECTION**

**Hearing Date: April 14, 2021**

**Time: 11:00 a.m.**

**Phone #: 877.402.9757**

**Code: 7036041#**  
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32 <sup>1</sup> The Debtors along with their case numbers are as follows: Easterday Ranches, In. (21-00141-  
33 WLH11) and Easterday Farms, a Washington general partnership (21-00176-WLH11).  
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1 TO: All Parties on Court Approved Limited Mailing List

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3 **I. NOTICE**

4 **PLEASE TAKE NOTICE** that on March 26, 2021, Weyns Farms,  
5  
6 LLC and Sunray Farms, LLC ("**Feed Suppliers**") filed an Amended Motion  
7  
8 for Adequate Protection ("**Motion**") with the Bankruptcy Court. A copy of  
9  
10 the Motion is attached hereto. Parties are encouraged to review the terms of  
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12 the Motion in its entirety. The Motion is supported by the Second  
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14 Declarations of Kees Weyns and Jake Wardenaar. The Motion is also  
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16 supported by the initial motion for adequate protection filed by the Feed  
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18 Suppliers [Docket No. 273], which was supported by the Declaration Kees  
19  
20 Weyns [Docket No. 274] and Jake Wardenaar [Docket No. 275] (collectively  
21  
22 "**Initial Pleadings**"). Copies of the Initial Pleadings as well as the Second  
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24 Declarations of Kees Weyns and Jake Wardenaar can be obtained from the  
25  
26 United States Bankruptcy Court for the Eastern District of Washington's  
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28 website at <http://www.waeb.uscourts.gov>. Briefly stated the Motion seeks the  
29  
30 following:  
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1           1.     Payment to the Feed Suppliers of approximately \$1,400,000<sup>2</sup> for  
2 feed utilized and to be utilized by the Debtors post-petition. The Feed  
3 Suppliers contend they have a first priority preparer's lien claim against  
4 certain feed owned by the Debtors, including approximately \$1.4 million in  
5 feed that was in existence on the date the Debtors filed for bankruptcy  
6 protection.  
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11           2.     Return of approximately \$890,000 in existing feed to the Feed  
12 Suppliers. The feed at issue (referred to in the Motion as the "Excess Feed")  
13 consists of corn and triticale for silage as well as whole kernel high moisture  
14 corn. The Feed Suppliers believe the Excess Feed will not be utilized by the  
15 Debtors under their approved cash collateral budgets. The return of the Excess  
16 Feed would reduce the lien claims of the Feed Suppliers.  
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22           3.     The Debtors have not yet filed their bankruptcy schedules,  
23 however, the Feed Suppliers, believe that the Excess Feed may be subject to  
24 competing lien claims by CHS Capital and Washington Trust Bank "**Cash**  
25 **Collateral Lenders**". Collectively the Feed Suppliers understand the Cash  
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33 <sup>2</sup> The amount of cash payments will be adjusted to reflect any feed that is returned.  
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1 Collateral Lenders are owed in excess of \$50,000,000 which is secured by  
2 feed inventory as well as other personal property.

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4 **NOTICE IS HEREBY GIVEN** that any opposition to the above  
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6 Motion must be in writing, must state briefly the grounds therefore, must be  
7  
8 filed with the Clerk of the United State Bankruptcy Court, United States  
9  
10 Bankruptcy Court, 904 W. Riverside Ave., Suite 304, Spokane, WA 99201,  
11  
12 and must be served upon the undersigned counsel **not later than April 12,**  
13 **2021.** If no objection is timely filed and served, the relief requested in the  
14  
15 Motion may be granted without further notice or opportunity to be heard.

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17 **PLEASE TAKE FURTHER NOTICE THAT THE FEED**  
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19 **SUPPLIERS HAVE PREVIOUSLY REQUESTED THE COURT**  
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21 **SHORTEN THE TIME ALLOWED FOR NOTICE AND FOR**  
22 **OBJECTIONS TO THE MOTION.**

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24 **Notice of Hearing**

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26 **PLEASE TAKE NOTICE** that the Court has set a hearing on the  
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28 Motion. The hearing will be held on **April 14, 2021.** via telephone conference  
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30 by the Honorable Whitman L. Holt. Any party who wishes to participate must  
31  
32 call 877.402.9757 (Passcode 7036041#) at the time of the hearing. **Your**  
33  
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1 failure to attend the hearing may result in the Court granting the relief  
2 requested without further notice or opportunity to be heard.  
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4 DATED this 26<sup>th</sup> day of March, 2021  
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6

7 /s/ Roger W. Bailey  
8 Steven H. Sackmann (WSBA 00618)  
9 Roger W. Bailey (WSBA 26121)  
10 Bailey & Busey PLLC  
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